

REMARKS

Applicants have studied the Office Action dated November 2, 2004. Claims 1-48 are pending. Claims 22-25 and 43-48 are allowed. Claims 1, 2, 15, 16, 19, 26, 27, 36, and 37 were rejected. Claims 3-14, 17, 18, 20, 21, 28-35, and 38-42 are objected to. Claims 1, 2, 6, 9, 12, 15, 19, 23, 26, 36 and 43 have been amended. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination of the application is respectfully requested.

§ 102 Rejection

Claims 1-2, 15-16, 19, 26, and 36-37 have been rejected under 35 U.S.C. 102(e) as being anticipated by Knutson et al. (U.S. No. 6,788,710).

A proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991). These rejections are respectfully traversed.

Claim 1

Applicants respectfully submit that Knutson fails to teach or suggest the features recited in amended claim 1. Knutson fails to teach or suggest the elements of amended claim 1 including "... multiplexing coded MPEG data and coded supplemental data based on a plurality of null bits inserted therein in a multiplexed data field according to a multiplexing rule determined in response to a number of supplemental data packets...". In contrast to amended claim 1, Knutson merely discloses a simple multiplexing rule utilizing an "...auxiliary packet, containing OSD information, for example, for every two recorded packets. When no auxiliary data is present for insertion into datastream 30 being played back from the DVTR, null packets are inserted into the data stream 33..." (Knutson, col. 4, lines 25-35; Fig. 3). In other words, the multiplexing rule in Knutson is not determined in response to a number of auxiliary or OSD packets -- positions of the auxiliary packets in the datastream 33 are determined regardless of the number of existing auxiliary or OSD packets.

Knutson further fails to teach or suggest the elements recited in amended claim 1 including "the multiplexed data field including multiplexing information indicating the number of

the supplemental data packets”. In particular, none of the datastreams 30, 31, 33-8, and 33-16, as shown in Fig. 3 of Knutson, contain information that indicates the number of auxiliary and/or OSD packets.

Knutson further fails to teach or suggest the elements recited in amended claim 1 including “transmitting the multiplexed data field through an antenna”. As shown in Fig. 1 of Knutson, a 8 VSB modulated signal is transmitted from a DVTR to a television receiver via channel 14, preferably an RF coaxial cable (Knutson, col. 4, lines 1-5). Amended claim 1 teaching terrestrial signal transmission, e.g. signal transmission through an antenna, is neither taught nor suggested by Knutson that merely teaches signal transmission through an RF coaxial cable.

Knutson further fails to teach or suggest the elements recited in claim 1 including “detecting the multiplexing information” and “demultiplexing the multiplexed data field...based on the multiplexing rule determined in response to the number of supplemental data packets indicated in the multiplexing information”. As explained above, the multiplexing rule disclosed in Knutson is not determined in response to the number of existing auxiliary or OSD packets and merely teaches one out of every three bits in the datastream being filled with auxiliary information or null data. Therefore, amended claim 1 detecting and multiplexing the multiplexed data field based on a multiplexing rule in response to the number of supplemental data packets is novel over the teachings contained in Knutson.

Thus, for any of the reasons discussed above, amended claim 1 is now allowable. Claims 2-14 are allowable by virtue of their dependence on amended claim 1.

Claim 15

Applicants respectfully submit that Knutson fails to teach or suggest the features recited in amended claim 15. Knutson fails to teach the elements recited in claim 15 including “a VSB receiver for receiving the data field through an antenna”. As discussed above, Knutson teaches signal transmission through an RF coaxial cable and not, as recited in amended claim 15, through an antenna, which is a terrestrial element.

Furthermore, Knutson fails to teach or suggest the elements recited in claim 15 including “a multiplexing information detector for detecting multiplexing information from the data field, wherein the multiplexing information contains at least information for determining a demultiplexing rule.” In particular, Knutson does not teach nor suggest, as does amended claim 15, using multiplexing information, detected by a multiplexing information detector, for determining how to multiplex datastream 30 and datastream 31. Thus, for any of the reasons

discussed above, amended claim 15 is now allowable. Claims 16-18 are allowable by virtue of their dependence on amended claim 15.

Claim 19

Applicants respectfully submit that Knutson fails to teach or suggest elements of amended claim 19 including "a reserved area having multiplexing information for deciphering the position of the supplemental data segments in the data field". Knutson describes that datastream 30 and datastream 31 are multiplexed into a datastream 33 but fails to teach or suggest, a reserved area element that has information indicating the position of the auxiliary or ODS packets within the multiplexed datastream 33. Thus, for any of the reasons discussed above, amended claim 19 is now allowable. Claims 20-21 are allowable by virtue of their dependence on amended claim 19.

Claim 26

Amended claim 26 reciting the elements "the multiplexing is performed according to a multiplexing rule determined in response to a number of the supplemental data packets" is novel and not suggested nor motivated by the teachings of Knutson for the same reasons as discussed above for amended claim 1. Furthermore, amended claim 26 reciting the elements "multiplexing information indicating the number of the supplemental data packets" is novel and not suggested nor motivated by the teachings of Knutson for the same reasons as discussed above for amended claims 1 and 15.

Thus, for any of the reasons discussed above, amended claim 26 is allowable. Claims 27-35 are allowable by virtue of their dependence on amended claim 26.

Claims 36

Applicants respectfully submit that Knutson fails to teach or suggest the elements of amended claim 36 including "the multiplexing information indicating a number of the supplemental data packets which is used to determine a demultiplexing rule required for separating supplemental data packets and the MPEG data packets from the data field". Knutson does not teach nor suggest a demultiplexing rule being determined in response to a number of supplemental data packets. Thus, amended claim 36 is allowable. Claims 37-42 are allowable by virtue of their dependence on amended claim 36.

Allowable Subject Matter

Applicants acknowledge that the Examiner found that claims 22-25 and 43-48 contain allowable subject matter.

CONCLUSION

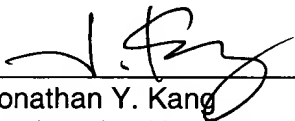
Claims 1-48 are now allowable. No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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